



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

September 16, 1991

Carrie Sikorski, Chief  
RCRA Permits Section  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

RE: Chempro Washougal and Chempro Pier 91 draft permits

Dear Ms. ~~Sikorski~~ <sup>Carrie</sup>:

Enclosed please find draft permits for the Chempro Washougal and Chempro Pier 91 facilities. I have signed the Chempro Washougal public notice. As I mentioned on the telephone, Ecology needs a week to actually publish the notice. I would appreciate your letting me know before September 23rd if EPA's portion of the permit will be completed by September 30th. We should be able to publish the notice before the end of the federal fiscal year.

The Chempro Pier 91 is an initial draft for agency review. I will not send Chempro their copy until September 30th. I have decided it is more prudent to send you and NWRO an early copy so that any significant concerns can be raised prior to Chempro review. In addition, the construction schedule currently has some inconsistencies. I believe this problem will be able to be resolved shortly. Please let me or Doug Brown know if you have any significant concerns before September 27th; I will request Chempro provide their comments by October 30th.

Finally, I expect Ecology's portion of the final permit to Van Waters & Rogers to be forwarded to shortly. Should you have any questions don't hesitate to call.

Sincerely,

*Cindy*

Cindy J. Gilder  
Section Head  
Hazardous Waste Permits

Enclosures

cc: Doug Brown  
Elliott Zimmerman  
Dave Croxton  
Ed Jones

USEPA RCRA



3012903

FILE COPY

WA 2917 Qd  
9/16/91  
2d

PERMIT  
FOR THE STORAGE AND TREATMENT  
OF DANGEROUS WASTE

Washington State  
Department of Ecology  
Mail Stop PV-11  
Olympia, Washington 98504-8711  
Telephone: (206) 459-6000

U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, HW-112  
Seattle, Washington 98101  
Telephone: (206) 553-1253

Issued in accordance with the applicable provisions of the Hazardous Waste Management Act, Chapter 70.105 RCW, and the regulations promulgated thereunder in Chapter 173-303 WAC and the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated thereunder in Title 40 of the Code of Federal Regulations.

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ISSUED TO:                      Chemical Processors, Inc.  
                                    (Pier 91 facility)  
                                    2203 Airport Way So., Suite 400  
                                    Seattle, Washington 98134  
                                    Telephone: (206) 223 0500  
                                    EPA Identification No. WAD 00081 2909

This Permit is effective as of \_\_\_\_\_ and shall remain in effect until \_\_\_\_\_ unless revoked and reissued, modified, or terminated under WAC 173-303-830(3) and (5) or continued in accordance with WAC 173-303-806(7).

ISSUED BY: WASHINGTON DEPARTMENT OF ECOLOGY and  
                    U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 10

\_\_\_\_\_  
Cindy J. Gilder, Section Head  
Hazardous Waste Permits  
Department of Ecology

\_\_\_\_\_  
Charles E. Findley, Director  
Hazardous Waste Division  
Environmental Protection Agency

Date \_\_\_\_\_

\_\_\_\_\_

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Expiration Date:  
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### INTRODUCTION

PERMITTEE:

CHEMICAL PROCESSORS, INC.

EPA/STATE IDENTIFICATION NUMBER:

WAD000812917

Pursuant to:

Chapter 70.105 RCW, the Hazardous Waste Management Act of 1976, as amended, and regulations codified in Washington Administrative Code (WAC) 173-303.

Solid Waste Disposal Act (42 U.S.C. 3251 et seq.) as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA) and,

Regulations promulgated by the U.S. Environmental Protection Agency (EPA) codified in Title 40 of the Code of Federal Regulation (40 CFR),

A Permit is issued to Chemical Processors, Inc. (hereafter called the Permittee), to operate a dangerous waste storage and treatment facility (Pier 91) located at 2001 W. Garfield St., Seattle, Washington at latitude 47 degrees 38 minutes 08 seconds North and longitude 122 degrees 22 minutes 50 seconds West.

The Permittee must comply with all terms and conditions set forth in this Permit and in Attachments AA through KK. When this Permit and the above attachments conflict, the wording of the Permit will prevail. The Permittee must also comply with all applicable state regulations, including Chapter 173-303 WAC (Attachment KK) and as specified in the Permit. Additionally, the Permittee must comply with all applicable federal regulations, including 40 CFR Parts 260 through 264, Part 266, Part 268, and Part 270.

Applicable state and federal regulations are those which are in effect on the date of final administrative action on this Permit and any self implementing statutory provisions and related regulations which, according to the requirements of RCRA (as amended), or state law, are automatically applicable to the Permittee's dangerous waste management activities, notwithstanding the conditions of this Permit.



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This Permit is based upon the administrative record, as required by WAC 173-303-840. The Permittee's failure in the application or during the Permit issuance process to fully disclose all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time, shall be grounds for the termination or modification of this Permit and/or initiation of an enforcement action, including criminal proceedings. The Permittee must inform the Director and the Administrator of any deviation from permit conditions or changes from information provided in the Part B permit application. In particular, the Permittee shall inform the Director and the Administrator of any proposed changes that might affect the ability of the Permittee to comply with applicable regulations and permit conditions, or which may alter any of the conditions of the Permit in any way.

The Department shall enforce all conditions of this Permit for which the State of Washington is authorized and all conditions which are designated in this Permit as state requirements only. Any challenges of any permit condition that concern state requirements, (i.e., conditions of this Permit for which the State of Washington received final authorization or conditions which are designated in the Permit as state requirements only) shall be appealed to the Department in accordance with WAC 173-303-845. In the event that the Department does not maintain final authorization, the Agency will enforce all permit conditions except those which are state-only requirements.

The Agency shall enforce all permit conditions which are based on federal regulation promulgated under HSWA, but have not yet been adopted by the State of Washington and have not been included in the state's authorized program. In such capacity, the Agency shall enforce any permit condition based on state requirements if, in the Agency's judgement, the Department should fail to enforce that permit condition, except that in no case shall the Agency enforce any permit condition designated as a state requirement only.

In the event that the State of Washington receives authorization from EPA to implement additional regulations promulgated under RCRA, as amended, the Department shall assume enforcement responsibility for existing permit conditions that are based on these requirements.

LIST OF ATTACHMENTS

The following listed documents are hereby incorporated, in their entirety, by reference into this Permit. Some of the documents are excerpts from the Permittee's Dangerous Waste Permit Application (most recently amended December 1990). The Department and the Agency have, as deemed necessary, modified specific language in the attachments. These modifications are described in the permit conditions (Parts I through VI), and thereby supersede the language of the attachment. These incorporated attachments are enforceable conditions of this Permit, as modified by the specific permit condition.

Attachment AA	Facility Description and General Provisions (Section B of the Permit Application)
Attachment BB	Part A Dangerous Waste Permit Application, to be effective upon issuance of the Permit (Section A of the Permit Application)
Attachment CC	Waste Analysis Plan (Sections C2.0 through C.2.8.2, inclusive, and Appendices C-2 through C-5, inclusive, of the Permit Application)
Attachment DD	Security Procedures and Equipment (Sections Fl.0 through Fl.2, inclusive, of the Permit Application)
Attachment EE	Inspection Schedule (Sections F2.0 through F2.2.3, inclusive, and Appendices F-1 through F-8, inclusive, of the Permit Application)
Attachment FF	Personnel Training Plan (Section H and Appendix H-1 of the Permit Application)
Attachment GG	Contingency Plan (Section G and Appendices G-1 through G-4, inclusive, of the Permit Application)
Attachment HH	Closure Plan (Section I and Appendices I-3 through I-6, inclusive, of the Permit Application)
Attachment II	Dangerous Waste Tanks (Sections Dl.0 through Dl.8.2, inclusive, and Appendices D-1 through D-10, inclusive, of the Permit Application)

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LIST OF ATTACHMENTS (CONTINUED)

Attachment JJ	Preparedness and Prevention Measures (Sections F3.0 through F5.2, inclusive, of the Permit Application)
Attachment KK	Chapter 173-303 WAC (April 1991)



DEFINITIONS

For purposes of this joint Permit, the following definitions shall apply:

- a. The term "Permit" shall mean the joint Permit issued by the Washington State Department of Ecology, pursuant to Chapter 70.105 RCW and Chapter 173-303 WAC, and by the U.S. Environmental Protection Agency, Region 10, pursuant to 42 U.S.C. 3251 et seq. and 40 CFR Parts 124 and 270.
- b. The term "Director" shall mean the Director of the Washington State Department of Ecology or a designated representative. The Section Head (with the address as specified on page one of this Permit) is a duly authorized and designated representative of the Director for purposes of this Permit.
- c. The term "Administrator" shall mean the Administrator of the U.S. Environmental Protection Agency (EPA) or a designated representative. The Director, Hazardous Waste Division, EPA Region 10, (with the address as specified on page one of this Permit), is a duly authorized and designated representative of the Administrator for purposes of this Permit.
- d. The term "Department" shall mean the Washington State Department of Ecology, (with the address as specified on page one of this Permit).
- e. The term "Agency" shall mean the U.S. Environmental Protection Agency, Region 10, (with the address as specified on page one of this Permit).
- f. The terms "facility" or "site" shall mean that identified in the physical description of the property (including structures, appurtenances, and improvements) used to manage dangerous waste. This property description is as set forth in Attachment AA of this Permit.
- g. The term "new tank system" is defined to mean tank systems which have never been used for dangerous waste management at this site before, existing tanks planned for conversion to manage regulated waste, existing tanks being relocated under this Permit, and tanks out of active service for more than 1 year which are proposed for regulated waste usage.

DEFINITIONS (CONTINUED)

- h. The term "solid waste management unit" shall mean any discernible unit at which solid waste has been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which hazardous waste or hazardous constituents (40 CFR Part 261, Appendix 8) have been routinely and systematically released.
- i. The term "RCRA Facility Investigation" shall mean an investigation of releases of hazardous wastes and hazardous constituents from solid waste management units.
- j. The term "release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.
- k. All definitions contained in 40 CFR Sections 124.2, 260.10, 270.2, 264.141, and WAC 173-303-040 are hereby incorporated, in their entirety, by reference into this Permit. Any of the definitions used above, (a) through (j), shall supersede any definition of the same term given in 40 CFR Sections 124.2, 260.10, 270.2, 264.141, and WAC 173-303-040. Where terms are not defined in the regulations or the Permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

PART I - STANDARD CONDITIONS

I.A. EFFECT OF PERMIT

The Permittee is authorized to store and treat dangerous waste in accordance with the conditions of this Permit and in accordance with the applicable provisions of Chapter 173-303 WAC. Any storage or treatment of dangerous waste by the Permittee at this facility that is not authorized by this Permit, Chapter 173-303 WAC, or by 40 CFR 270.42(e) and for which a permit is required under Section 3005 of RCRA, is prohibited. Subject to 40 CFR 270.4, compliance with this Permit generally constitutes compliance, for the purposes of enforcement, with Subtitle C of RCRA. Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations.

I.B. GENERAL PERMIT CONDITIONS

I.B.1. The general permit conditions under WAC 173-303-810, final facility standards under WAC 173-303-600, and, when the Permittee is a generator, generator requirements under WAC 173-303-170, are incorporated by reference into this Permit and must be adhered to by the Permittee.

I.B.2. The Permittee shall comply with all applicable requirements of 40 CFR Part 270.30(a)-(i), (j)(1), (k), (l)(1)-(l)(3), (l)(5)-(l)(8), (l)(10), and (l)(11).

I.B.3. The list of attachments on Pages 5 and 6 are incorporated by reference into this Permit. Facility operations must be in accordance to the contents of the attachments and this Permit.

I.C. PERMIT ACTIONS

I.C.1 This Permit may be modified, revoked and reissued, or terminated for cause, as specified in WAC 173-303-830(3) and 40 CFR 270.41, 270.42, and 270.43. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance of the part of the Permittee, does not stay the applicability or enforceability of any permit condition.



- I.C.2. This Permit may be renewed as specified in WAC 173-303-810(3) and 40 CFR 270.30(b) and Permit Condition I.E.2. Review of any application for a Permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations.
- I.C.3. Permit Modification at the request of the Permittee will be done according to the three tiered modification system, WAC 173-303-830(4)40 and CFR 270.42, and the preamble to the federal regulation (53FR37912, September 28, 1988). This includes any modification from design drawings to as-builts.
- I.D. SEVERABILITY
- I.D.1. The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby. Invalidation of any state or federal statutory or regulatory provision which forms the basis for any condition of this Permit does not affect the validity of any other state or federal statutory or regulatory basis for said condition.
- I.D.2. In the event that a condition of this Permit is stayed for any reason, the Permittee shall continue to comply with the related applicable and relevant interim status standards in WAC 173-303-400 until final resolution of the stayed condition unless the Director and the Administrator determines compliance with the related applicable and relevant interim status standards would be technologically incompatible with compliance with other conditions of this Permit which have not been stayed.
- I.E. DUTIES AND REQUIREMENTS
- I.E.1. The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency Permit. Any Permit noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a violation of RCRA and is grounds for revocation and reissuance, or modification; or for denial of a Permit renewal application.

- I.E.2. If the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee shall submit a complete application for a Permit at least 180 days prior to Permit expiration.
- I.E.3. It shall not be defense for the Permittee, in an enforcement action that it would have been necessary, to halt or reduce the Permitted activity in order to maintain compliance with the conditions of this Permit.
- I.E.4. In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures, as are reasonable, to prevent significant adverse impacts on human health or the environment.
- I.E.5. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit.
- I.E.6. The Permittee shall furnish to the Director or Administrator, within a reasonable time, any relevant information which the Director or Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or termination this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to the Director or Administrator, upon request, copies of records required to be kept by this Permit.

- I.E.7. Pursuant to WAC 173-303-810(10) and 40 CFR 270.30(i), the Permittee shall allow the Director or Administrator, or authorized representatives, upon the presentation of credentials and other documents as may be required by law, to:
- a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
  - d. Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.
- I.E.8. The Permittee shall give notice to the Director or Administrator, as soon as possible, of any planned physical alterations or additions to the permitted facility.
- I.E.9. The Permittee shall give advance notice to the Director or Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.



- I.E.10. The Permittee may not commence treatment or storage of dangerous waste in any new or modified portion of the facility until the Permittee has submitted to the Director, by certified mail or hand delivery, a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the Permit; and
- a. The Director, or his authorized representative, has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the Permit; or
  - b. The Director has either waived the inspection or has not within 15 days notified the Permittee of his intent to inspect.
- I.E.11. Whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit application, or submitted incorrect information in a Permit application or in any report to the Director or Administrator, the Permittee shall promptly submit such facts or information.
- I.F. MONITORING AND RECORDS
- I.F.1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from WAC 173-303-110 or Appendix I of 40 CFR Part 261 or an equivalent method approved by the Director or Administrator. Laboratory methods must be those specified in WAC 173-303-110(3)(a) or an equivalent method as specified in Attachment CC.

- I.F.2. Pursuant to WAC 173-303-810(11) and 40 CFR 270.30(j)(3), records of monitoring information shall specify:
- a. The dates, exact place, and times of sampling or measurements;
  - b. The individuals who performed the sampling or measurements;
  - c. The dates analyses were performed;
  - e. The individuals who performed the analyses;
  - f. The analytical techniques or methods used; and
  - g. The results of such analyses.

I.G. COMPLIANCE NOT CONSTITUTING DEFENSE

Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Sections 3007, 3008, 3013, or 7003 of RCRA (42 U.S.C. Sections 6927, 6928, 6934 and 6973), Section 104 or 107, and 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq., commonly known as CERCLA) as amended, or any other federal or state law governing protection of public health or the environment.

I.H. TRANSFER OF PERMITS

This Permit is not transferable to any person, except after notice to the Director and Administrator. The Director and Administrator may require modification or revocation and reissuance of the Permit pursuant to WAC 173-303-830(2) and 40 CFR 270.40. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270 and this Permit.

I.I. PERMIT EXPIRATION AND CONTINUATION

This Permit and all conditions herein will remain in effect beyond the Permit's expiration date until final permit determination if the Permittee has submitted a timely, complete application (under 40 CFR Section 270 Subpart B for HSWA provisions and WAC 173-303-806), and, through no fault of the Permittee, the Director or the Administrator have not made a final permit determination, through their respective authorities, as set forth in WAC 173-303-840 and 40 CFR Section 270.51 for HSWA provisions. This Permit may be modified or revoked and reissued as necessary, in accordance with 40 CFR 270.41 and WAC 173-303-830(3).

I.J. REPORTS, NOTIFICATIONS AND SUBMISSIONS

All reports, notifications or other submissions which are required by this Permit to be sent or given to the Director and the Administrator should be sent certified mail or given to:

Supervisor, Hazardous Waste Section  
Department of Ecology  
Northwest Regional Office  
3190 160th Ave S.E.  
Bellevue, Washington 98008-5452  
Telephone: (206) 649-7000

Chief, Waste Management Branch  
U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, HW-12  
Seattle, Washington 98101  
Telephone: (206) 553-1253

These phone numbers and addresses may change.

I.K. CONFIDENTIAL INFORMATION

Any information submitted by the Permittee to the Director or Administrator may be claimed as confidential by the Permittee in accordance with applicable provisions of WAC 173-303-830(15) and 40 CFR Parts 260.2 and 270.12.



I.L. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE

Current copies of the following documents, as amended, revised, and modified, shall be maintained at the facility. Where noted in this Permit, documentation at the facility may be made by reference to records at the Chempro corporate office, which is located at 2203 Airport Way South, Seattle, WA. These documents must be maintained until closure is complete and certified by an independent, registered professional engineer, unless a lesser time is specified in the Permit.

1. The Permit and all Attachments;
2. The Part B Permit application; and
3. The facility operating record.

I.M. WASTE MINIMIZATION

I.M.1. Waste Minimization Certification: In accordance with 40 CFR 264.73(b)(9), the Permittee must place a certification in the operating record on an annual basis that:

- a. A program is in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable; and
- b. The proposed method of treatment, storage or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.

I.M.2. Biennial Report: In accordance with 40 CFR 264.75, the Permittee shall submit to the Regional Administrator, within one hundred and fifty (150) days of the effective date of the Permit and on March 1 of each even numbered year thereafter, a report documenting efforts to reduce the volume and toxicity of waste generated, including estimates of the reduction in volume or toxicity achieved since the previous report by the facility's waste minimization program certified in I.M.1.

## PART II - GENERAL FACILITY CONDITIONS

### II.A. GENERAL WASTE MANAGEMENT

- II.A.1. The Permittee is authorized to receive the waste specified in Attachment BB from sources off-site. These wastes shall only be received from regulated generators with a valid State/EPA identification number, conditionally exempt small quantity generators, and legitimate household waste generators. In specific emergency situations, Chempro may also accept dangerous wastes generated by regulated generators without a State/EPA identification number. Such emergency acceptance shall require prior written authorization, which may be via telecommunications, from the Agency or the Department. These wastes shall be managed only under the conditions of this Permit.
- II.A.2. The Permittee must inform the generator in writing that he has the appropriate permits for and will accept the waste the generator is shipping as required by WAC 173-303-290(3). The Permittee must keep a copy of this written notice as part of the operating record until final closure of the facility (this may be by reference to records at the corporate office). The length of time which these notices must be kept shall be extended if questions arise concerning a specific generator.
- II.A.3. The Permittee shall notify the Director in writing at least four weeks in advance of the date the Permittee expects to receive dangerous waste from a foreign source, as required by WAC 173-303-290(1) and 40 CFR 264.12(a). Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.
- II.A.4. New test methods shall be used immediately upon the effective date of the Federal or State laws or regulations which mandate the use of the test methods.
- II.A.5. Waste brought on-site cannot leave the unloading area until the manifest number, has been recorded on logging and tracking forms. Entry into the on-line computerized tracking system must be done within 24 hours after manual entry of the information on forms.

- II.A.6. Each regulated generator waste stream which is received by the Permittee more than twice a year shall undergo annual full characterization. Full characterization is defined as completing a waste profile sheet which shall identify all dangerous constituents and characteristics, along with accounting for 100% of the material (e.g., 30% oil, 70% water).
- a. Annual full characterization, except in the circumstances defined in b. below, shall include waste analyses using analytical methods in SW-846 and performed by a laboratory accredited by Washington State under Chapter 173-50 WAC, and/or review of existing published or documented data on the dangerous waste. Wastes must be analyzed for all hazardous constituents except those which can be demonstrated not to be present in any of that generator's waste streams. The review of existing or documented data must include confirmation by the generator that the process generating the dangerous waste has not changed.
  - b. In the following circumstances full characterization must be by laboratory analysis only:
    - i. When the permittee has been notified, or has reason to believe, that the process of operation generating the dangerous waste has changed;
    - ii. When there is a discrepancy between a Generator's waste designation, as provided by the generator profile or the manifest description, and the Permittee's waste designation, as determined by the screening analysis or any further waste analysis;
    - iii. The first time a waste undergoes full characterization; and
    - iv. No less than five years from the last full characterization by analysis.



- c. The following wastes are exempted from periodic full characterization:
- i. Laboratory chemicals packaged in accordance with 40 CFR 264.316 and WAC 173-303-161;
  - ii. Empty product containers as defined in 40 CFR 261.7 and WAC 173-303-160;
  - iii. Unaltered commercial products in the original product container(s); and
  - iv. Residue and debris from the clean up of a spill or release of one known substance or commercial product, or for a single material for which a MSDS can be provided.

II.A.7. For all wastes which are subject to the 5,000 Btu/lb minimum requirement of Permit Condition II.A.17. and which are mixed with different wastestreams and/or wastes from different generators for the purpose of bulk transport to the facility, the Permittee shall obtain representative samples of the waste, as generated, prior to bulking. Such samples shall be subject to all appropriate analyses pursuant to Attachment CC and Permit Condition II.A.11.

II.A.8. For all wastes which are subject to the 5,000 Btu/lb minimum requirement of Permit Condition II.A.17. and which are generated on-site, the Permittee shall obtain representative samples. Such samples shall be subject to analysis requirements of Permit Condition II.A.11.

II.A.9. Each incoming shipment from off-site facilities shall be sampled and in addition to all appropriate primary and secondary analyses in accordance with Attachment CC, the following tests shall always be performed on aqueous (water) phases:

Test Parameter	Test Method
a. pH	pH Analysis defined in Attachment CC
b. Cyanide, If pH >6	Cyanide Spot Test defined in Attachment CC
c. Reactive Sulfide, If pH >7 and negative for cyanide	Test for Reactive Sulfide defined in Attachment CC

- II.A.10. Each incoming shipment from off-site facilities shall be sampled and in addition to all appropriate primary and secondary analyses in accordance with Attachment CC, the PCB Analysis, as defined in Attachment CC, shall always be performed on non-aqueous phases.
- II.A.11. For all materials subject to the 5,000 Btu/lb minimum requirement of Permit Condition II.A.17., the Btu value of all samples, including those of incoming bulk shipments and those collected pursuant to Permit Conditions II.A.7. and II.A.8., shall be determined. The method used shall be Method D-2105 of the 1986 Annual Book of ASTM Standards. The permittee shall not be required to determine by analysis the Btu value of wastes under the following circumstances:
- a. The Permittee can demonstrate that the waste is an unaltered commercial product with a known heat content above 5000 Btu/lb; or
  - b. The most recent waste profile of the wastestream indicates a value of greater than 7500 Btu/lb, plus three consecutive shipments of that wastestream subsequent to the most recent waste profile all have values above 7500 Btu/lb.
- II.A.12. The Permittee shall comply with all applicable requirements and prohibitions in 40 CFR Part 268 (Land Disposal Restriction) for the storage and treatment of restricted wastes.
- II.A.13. All testing performed as a result of the requirements of 40 CFR Part 268, Subparts C or D, shall be performed as required by 40 CFR 264.13, General Waste Analysis.
- II.A.14. The Permittee must use the Toxicity Characteristic Leaching Procedure (TCLP) or use knowledge of the waste to determine whether a waste exhibits the characteristic of toxicity, as defined in 40 CFR 261.24 and WAC 173-303-090(8).

- II.A.15. When there is a discrepancy between a Generator's waste designation, as provided by the generator profile or the manifest description, and the Permittee's waste designation, as determined by the screening analysis or any further waste analysis, the following steps shall be taken:
- a. The generator shall be informed of the discrepancy and given the following options:
    - i. Amend the current profile or manifest, or submit a new profile which properly represents the waste; or
    - ii. Provide the Permittee permission to transport the load back to the generator or to an alternative permitted TSD facility.
  - b. A discrepancy which requires a change or addition of a waste code or codes on the manifest will be reported to the Department in writing no later than 14 days after the discovery of the discrepancy. The report shall include a description of the discrepancy, the manifest number, generator name, and generator address.
- II.A.16. Rinsate generated from the management of listed waste, such as from tank cleaning, shall be managed as dangerous waste in accordance with the Attachment II and sewer discharge permits.
- II.A.17. The Permittee shall comply with the prohibition on sham recycling of low-Btu wastes, as stated in the March 16, 1983 Federal Register (48FR11157). Wastes with values below 5,000 Btu/lb as generated, both received from off-site and generated on-site, shall not be incorporated into dangerous waste fuels, unless:
- a. They are received from conditionally exempt small quantity generators;
  - b. It can be demonstrated that the dangerous waste is burned solely as an ingredient; or
  - c. The final destination of the dangerous waste fuel is an industrial boiler or furnace that has achieved certification of compliance with final permit standards or interim emission standards under 40 CFR 266.102 or 266.103.



- II.A.18. All analyses performed in order to determine whether a waste exhibits the characteristic of ignitability shall be done with a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM Standard D-93-79 or D-93-80, or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3278-78.

II.B. PREPAREDNESS AND PREVENTION

- II.B.1. The Permittee shall ensure all water related safety equipment such as eyewash units and emergency showers shall remain operable at all times, including during periods of subfreezing temperatures.
- II.B.2. In accordance with WAC 173-303-340 and 40 CFR Part 264.31 the facility shall be designed, constructed, maintained, and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of dangerous waste or dangerous waste constituents to air, soil, or surface water which could threaten human health or the environment.
- II.B.3. A facility employee shall observe all loading and unloading of tanker trucks occurring within the facility.

II.C. RECORDKEEPING AND REPORTING

- II.C.1. In addition to the recordkeeping and reporting requirements specified elsewhere in this Permit, the Permittee shall comply with all the applicable notification, certification, and recordkeeping requirements described in 40 CFR 268.7 and 40 CFR 264.73(b)(11), (12), (15), and (16).

II.C.2.

Operating Record: The Permittee shall maintain a written operating record at the facility, consisting of records kept for the length of time specified below. The record can be a compilation of various documents and when specifically noted may be by reference to records maintained at the corporate office, located at 2203 Airport Way South, Seattle, WA. The Permittee shall also record all information referenced in this Permit in the operating record within 48 hours of the information becoming available. The operating record shall include, but not be limited to, the information listed below.

- a. The following records shall be maintained until closure and corrective action are complete and certified:
  - i. A current map showing the location of dangerous waste management units and non-regulated units within the facility;
  - ii. A map showing all locations of past dangerous waste management units if different from present locations;
  - iii. Assessment reports, as per WAC 173-303-360(2)(k), of all incidents that require implementation of the contingency plan (may be by reference to records at the corporate office);
  - iv. Record of spills and releases (may be by reference to records at the corporate office);
  - v. Written reports and records of verbal notification to the Director and the Administrator to address releases, fires, and explosions (may be by reference to records at the corporate office);
  - vi. Annual reports submitted in compliance with WAC 173-303-220(1) (Generator Report - Form 4) and WAC 173-303-390(2) (TSD Facility Report - Form 5) (may be by reference to records at the corporate office);
  - vii. Summaries of all records of corrective action;

- viii. All other environmental permits (current copies shall be maintained at the facility, past copies may be by reference to records at the corporate office);
- ix. Corrective action deed notification (may be by reference to records at the corporate office);
- x. The following information, as it relates to the waste analysis plan;
  - A. The date(s), exact place, and times of sampling or measurements;
  - B. The name of the individual(s) who performed the sampling or measurements;
  - C. The date(s) analyses were performed, demonstrating that EPA SW-846 holding times were satisfied;
  - D. The name of the individual(s) who performed the analyses;
  - E. The analytical techniques or method used (may be by reference to records at the corporate office);
  - F. The analytical results;
  - G. The QA/QC summary (may be by reference to records at the corporate office); and
  - H. The type and model # of the equipment used for analysis (may be by reference to records at the corporate office).
- xi. Training records of current personnel;
- xii. Certifications pursuant to 40 CFR 264.73(b)(9), Annual Waste Reduction Plan (may be by reference to records at the corporate office); and
- xiii. Facility construction records pursuant to Permit Condition IV.B.2.



- b. The following records shall be maintained for a minimum of 5 years. This time period may be extended by the Department or Agency in the event of enforcement action or notification by the Department or Agency that an investigation is ongoing. In the case of notification of investigation, the Permittee will not be required to keep the records longer than one (1) year past the normal time frame unless an enforcement action is issued:
  - i. Facility operation and maintenance records and reports prepared pursuant to this Permit;
  - ii. Date(s) and method(s) of treatment used per waste process operation including name(s) of personnel performing actual operation;
  - iii. Progress reports and any required notifications prepared pursuant to this Permit (this may be by reference to records at the corporate office);
  - iv. The notice and certification required by a generator under 40 CFR 268.7. (Land Disposal Restrictions);
  - v. Records of all inspection and monitoring information, including all calibration and maintenance records which shall include at a minimum:
    - A. The date and time of data recording;
    - B. The name of the person taking and recording the information; and
    - C. The recorded information itself whether consisting of observation, data measurement, instrument reading or any other monitoring method.
  - vi. The records of all inspections and analyses required by Permit Condition IV.A.3.b.
  - vi. Manifests and any required unmanifested shipment or exception reports;
  - vii. Training records of former personnel; and

- viii. Records required by 40 CFR 264.1035(c)(3) through (c)(8) and 40 CFR 264.1064(d) and (e) for compliance with the Organic Air Emissions Standards for Process Vents and Equipment Leaks, 40 CFR Part 264 Subparts AA and BB.
- c. Current copies of the following documents as amended, revised, and modified shall be maintained at the facility until closure and corrective action are complete and certified:
  - i. Contingency Plan;
  - ii. Training Plan;
  - iii. Waste Analysis Plan;
  - iv. Documentation of arrangements made with local authorities pursuant to WAC 173-303-340;
  - v. All closure, interim measures and final corrective action cost estimates, financial assurance documents prepared pursuant to this Permit, as well as the company names and addresses of facility insurers;
  - vi. Closure Plan;
  - vii. For all new and converted "new" tank systems, per 40 CFR 264.192:
    - A. An assessment, by an independent, registered professional engineer or independent qualified tank installation inspector not affiliated with the tank vendor, certified by an independent, registered professional engineer, that the tank system was installed properly and that all discrepancies have been repaired;
    - B. Results of tightness testing and integrity assessments; and
    - C. For all tanks which require corrosion protection, a written statement from a corrosion expert that attests to the proper design and installation of any corrosion protection measures.

- viii. The results of periodic tightness testing and integrity assessments of all tank systems;
- ix. The results of tightness testing of the interspace area between tank bottoms pursuant to Permit Condition IV.A.3.d.; and
- x. Documentation and information as required by 40 CFR Parts 264 Subparts AA and BB, Air Emission Standards for Process Vents and Equipment Leaks, except as noted in Permit Condition II.C.2.b.viii. This shall include but not be limited to;
  - A. The location of all affected units and the identification of all process vents;
  - B. Current data estimates on annual throughput and emission rates for affected vents;
  - C. Inspection schedules and recordkeeping procedures;
  - D. Description of procedures, structures, or equipment used at the facility to prevent releases to the atmosphere from process vents;
  - E. Monitoring and maintenance procedures; and
  - F. A list of information sources used in preparing the records.

II.C.3. The Permittee shall submit waste analysis or monitoring data within two weeks of a written request by the Department or Agency. This shall include, if requested, all raw data whether or not they have undergone Quality Assurance/Quality Control (QA/QC) by the Permittee. The Permittee shall identify all data submitted which has not undergone QA/QC.



II.D. CLOSURE

- II.D.1. The Permittee shall submit a proposed background sampling plan to the Department at least eight (8) weeks in advance of the scheduled collection of background samples. The plan shall include a map showing the proposed sampling locations. The Department will have eight (8) weeks, from the date the Department receives the proposed background locations, to accept or deny the sampling proposal. Failure to respond within eight (8) weeks will constitute acceptance.
- II.D.2. The Permittee shall notify the Department at least 10 working days in advance of the scheduled collection of background samples.
- II.D.3. The background analysis shall be statistically defensible considering local area conditions (e.g., soil heterogeneity, etc.). This shall require at a minimum:
- a. A sufficient number of samples to provide a representative measure of background levels for hazardous constituents and substances; and
  - b. The exclusion of outliers to the distribution of background samples from any determination of background environmental levels of hazardous constituents and substances.
- II.D.4. The Permittee may perform additional background sampling or analysis. A proposal for additional sampling or analysis must be submitted and approved in accordance with Permit Condition II.D.1. and such sampling must meet the requirements of Permit Conditions II.D.2. and II.D.3.
- II.D.5. If the Department determines that implementation of the approved background sampling plan has not adequately or accurately quantified background conditions, the Department may require additional sampling and analysis.

- II.D.6. Clean closure shall require the removal of all hazardous substances under Chapter 173-340 WAC in addition to all hazardous constituents listed in 40 CFR Part 261 Appendix VIII.
- a. Removal to demonstrate clean closure shall mean attaining the lower of:
    - i. Background environmental levels (or the practical quantitation limit if background environmental levels cannot be quantified for a hazardous constituent or substance); or
    - ii. The cleanup standards of Chapter 173-340 WAC.
  - b. For hazardous constituents derived from waste or waste residues specified in WAC 173-303-610(2)(b)(ii) (state only wastes), removal shall also assure the hazardous constituents are below the waste designation limits.
  - c. The Department must also approve of methods used to determine whether soil samples from dangerous waste management area demonstrate compliance with the standards for clean closure.
- II.D.7. Sampling and analysis at the time of closure shall be conducted for all hazardous constituents listed in 40 CFR Part 261, Appendix VIII. The Permittee may submit a list of hazardous constituents for which analysis will not be conducted if the Permittee wishes to demonstrate that a shorter list of analyses is warranted. Such a list should be submitted to the Department 180 days before closure sampling begins, and must include justification of why each substance could not be suspected of being present at the facility. The Department will have eight (8) weeks from the date the list of proposed excluded substances is received to accept or deny the proposal. Failure to respond within eight (8) weeks will constitute acceptance. The Department may, with reason, require analysis for additional hazardous substances, as defined by Chapters 173-303 or 173-340 WAC.

II.D.8. For sampling at the time of closure, in addition to all sampling required by the closure plan, Attachment HH, the Permittee shall take biased soil samples from beneath locations of all stains or cracks in the concrete, and, if concrete from containment areas is to be left onsite, biased concrete samples at locations of all stains and cracks. Sampling at the time of closure shall consist of, at a minimum:

- a. 33 concrete chip samples, consisting of at least:
  - i. Seven (7) biased samples from beneath cracks or stains;
  - ii. 17 biased sales from sumps; and
  - iii. Nine (9) random samples.
- b. Six (6) concrete core samples of previously exposed concrete surfaces beneath the central area of the "existing" dangerous waste tank system, consisting of at least:
  - i. Four (4) samples from sumps; and
  - ii. Two (2) random samples.
- c. 75 soil samples, consisting of at least:
  - i. Seven (7) biased samples beneath cracks or stains;
  - ii. 17 biased samples beneath sumps; and
  - iii. 51 random samples.

II.D.9. Within four (4) weeks of Notification of closure pursuant to WAC 173-303-610(3)(c)(i) the Permittee shall submit to the Department a sampling plan. At a minimum the sampling plan shall identify the location of all soil and concrete samples to be taken and specify analytical methods proposed. The Department will have eight (8) weeks from the date that the plan is received to require modification to the plan, or to approve the plan with or without changes. Failure to respond within eight (8) weeks will constitute approval of the plan.



- II.D.10. The Permittee shall use approved analytical methods that achieve quantification limits capable of demonstrating compliance with closure standards. To ensure this, the Department may require specialized sample collection or analysis techniques
- II.D.11. The following are specific laboratory procedures to be followed during closure:
- a. When using GC/MS, peaks shall be identified as "Tentatively Identified Compounds" (TICs) if they are greater than 10% of the nearest internal standard response. If possible, up to 10 TICs shall be reported for each volatile organic analysis (VOA) and up to 20 TICs shall be reported for each semi-VOA. The Department may, with reason, require the identification of additional peaks. If a priority pollutant is discovered it shall be quantified.
  - b. When AA or ICP is utilized, cold vapor atomic absorption shall be used for mercury analysis.
  - c. Metal analysis shall use SW-846 Method 3050, or EPA method 200.2 for sample preparation for metals to be analyzed by flame AA or ICP.
- II.D.12. The activities of the independent registered engineer to assure that closure is conducted in accordance with the approved plan shall specifically include, but not be limited to, the following:
- a. Observation of all pre-designated locations to be biased sampled;
  - b. The observation of the collection of background samples;
  - c. Review of tank decontamination records to determine that closure plan requirements for triple rinsing and rinsate management have been followed and that tanks have been adequately cleaned;
  - d. Determining compliance with sampling protocols; and
  - e. Review of laboratory results before discharge of decontaminated rinsate.

II.E. CLEAN UP OF RELEASED MATERIAL

- II.E.1. In the event of a nonpermitted spill or discharge of dangerous waste the Permittee shall comply with the requirements of WAC 173-303-145.
- a. In the event of a nonpermitted spill or discharge outside of secondary containment, in addition to the requirements of WAC 173-303-145, the Permittee shall:
    - i. Take appropriate immediate action to protect human health and the environment; and
    - ii. Clean up all released dangerous waste or hazardous substances. At a minimum the Department will require such clean ups to attain the facility closure standards.
  - b. The permittee shall notify the Department in the following circumstances:
    - i. For spills or discharges occurring outside of secondary containment; and
    - ii. For spills and discharges occurring and contained in secondary containment if the quantity of dangerous waste or hazardous substance exceeds ten gallons.
- II.E.2. Any spilled or leaked waste within secondary containment shall be removed immediately upon identification.

II.F. FINANCIAL ASSURANCE AND LIABILITY REQUIREMENTS

II.F.1. The Permittee shall demonstrate continuous compliance with WAC 173-303-620(4) by providing documentation of financial assurance to the Director as required by WAC 173-303-620(10). Such documentation shall be adjusted annually for inflation in compliance with WAC 173-303-620(3)(c) and entered into the facility operating record per WAC 173-303-620(3)(d) and Permit Condition II.C.2.c.v. Annual adjustment for inflation shall not require a permit modification under WAC 173-303-830.

- a. Financial assurance, prior to future adjustment for inflation, shall be in at least the amount of the closure cost estimate in Attachment HH as revised by the requirements of Permit Condition II.F.3.
- b. The pay-in period of a trust fund shall not exceed the term of the Permit.

II.F.2. The Permittee shall report to the Director and the Administrator any claims made on the liability insurance fund. The report shall be submitted in writing within 30 days of the filing of such claims and shall contain information on the number and type of claims filed, the amount of each claim, and a description of the occurrence that led to the claim.

II.F.3. The Permittee shall submit to the Agency and the Department, no less than 90 days after the Permit effective date, a revised closure cost estimate and financial assurance based upon the requirements of this Permit, including but not be limited to the requirements of Permit Conditions II.D.7. and II.D.8.

II.G. ORGANIC AIR EMISSION STANDARDS

II.G.1. The Permittee shall comply with the requirements of 40 CFR Part 264 Subparts AA and BB, organic air emission standards for equipment leaks and process vents for treatment, storage, and disposal facilities. This shall include, but not be limited to, complying with the reporting requirements of 40 CFR 264.1036 and 264.1065.



- II.G.2. Testing of activated carbon air emission control units shall be performed on a weekly basis when in use. The test instrument shall be an organic vapor analyzer and used in accordance with the manufacturer's directions. Sampling shall be done immediately before and after the first carbon adsorber. When the removal efficiency of the first adsorber falls below 50% it shall be replaced in accordance with Attachments EE and JJ.
- II.G.3. Results of the carbon filter testing shall be recorded in the weekly inspection log. The date and time of sampling, sampling readings, and name of sampler shall also be recorded in the weekly inspection log.
- II.G.4. The Permittee shall comply with requirements of the Puget Sound Air Pollution Control Agency (PSAPCA). These requirements include but are not limited to the following:
- a. Annual registration including an air emissions inventory to provide a description of existing facility treatment processes and units which are or could potentially be a source of air emissions.
  - b. Submittal of a Notice of Construction for proposed waste management processes and associated waste management units which could potentially be a source of air emissions.

PART III - TANK SYSTEMS

III.A. EXISTING DANGEROUS WASTE TANK SYSTEMS

- III.A.1. The Permittee may store and/or treat dangerous wastes in the following tanks:

2101 through 2104, 2201 through 2204, 2301 through 2313, 2401, 2402, and 2701 through 2710.

III.B. INTEGRITY ASSESSMENT

- III.B.1 The Permittee shall review, pursuant to WAC 173-303-640(2)(c) and based on current tank integrity assessment results, the structural integrity of all dangerous waste management tank systems every five years starting from the date of Permit issuance or, for new tanks, starting from the date new tanks are put into dangerous waste service. See Table III-1 for more frequent interval inspections of the tank interior. Results of the integrity assessments shall be included in the Operating Record accessible at the facility. Any tank system found to be leaking or unfit for service must be immediately removed from service and the Permittee shall comply with the requirements of WAC 173-303-640(7). A tank system shall not be returned to service until the Permittee has obtained the required certification.

- III.B.2. The tank integrity assessments performed every 5 years must be done by an independent, registered, professional engineer. The initial assessment of new and converted "new" tank systems may be performed by an independent, qualified registered professional engineer, or by an independent qualified installation inspector not affiliated with the tank vendor, and shall be certified by an independent, qualified registered professional engineer.

- III.B.3. Visual inspections referred to in Table III-1 must be done by an independent registered professional engineer or an independent National Association of Corrosion Engineers (NACE) Level II or Level III certified inspector at least once during each 5 year period. More frequent visual inspections called for in Table III-1 can be done by a facility employee who is a registered engineer or a NACE Level II or Level III certified inspector.

III.C. APPROVED WASTES

Permit Attachment JJ identifies the dangerous wastes which the Permittee may store and/or treat in each tank system.

III.D. TANK MANAGEMENT PRACTICES

- III.D.1. The Permittee shall not place waste into a tank system which was previously used for the management of incompatible wastes prior to the tank system decontamination. Decontamination by rinsing shall require at minimum, triple rinsing.
- III.D.2. Tank entry shall not be done until vapors, if present, are below 10 % of the Lower Explosive Limit (LEL).
- III.D.3. The integrity of the coating or lining required for containment systems by WAC 173-303-640 (4)(e)(ii)(D) shall be maintained.
- a. The coating or lining must seal the containment surface such that no cracks, seams, or other avenues through which liquid could migrate are present.
  - b. The coating or lining must be of adequate thickness or strength such that the normal operation of equipment and personnel within the given area will not immediately degrade or physically damage the coating or lining.
  - c. The coating or lining must be compatible with the waste stored in the containment system as specified in Attachment II.
- III.D.4. All construction joints in containment slabs in which water stops were not installed internal to the joint shall be inspected daily. Such inspections shall check for joint integrity, adhesion of sealants, cracks, gaps, and any other signs of deterioration. Results of the inspections shall be entered into the facility operatin record.
- III.D.5. The integrity of all containment systems shall be maintained. Cracks, gaps, loss of integrity, deterioration, corrosion, or erosion of pads, berms curbs, sumps, construction joints, and coatings of storage and treatment areas shall be repaired. Repairs shall be completed within the week following detection of their need in accordance with Attachment EE (i.e., as a Priority 1 or Priority 2 response level repair or remedial action depending on the potential for an environmental release). All sumps shall be lined with stainless steel attached to the concrete and sealed or coated with chemical resistant coatings.



III.E. CLOSURE

- III.E.1. When hydroblasting is used as a method for tank decontamination during closure, hydroblasting procedures shall follow the guidelines specified by the Agency and/or Ecology. At the time of Permit issuance, current guidelines are contained in EPA document 600/2-85/028: "Guide for Decontaminating Buildings, Structures and Equipment at Superfund Sites.

Table III-1.

## TANK INTEGRITY ASSESSMENT SCHEDULE

<u>Rating</u>	<u>Construction Material</u>	<u>Inspection Method</u>	<u>Inspection Frequency</u>	
			<u>Storage Processing</u>	<u>Corrosive Processing</u>
A	Carbon or Stainless Steel, uncoated or unlined	Ultrasonic Interior Visual	1 year 1 year	
A	Carbon or Stainless Steel, coated or lined	Corrosion Coupon Interior Visual	1 year 2 years	
A	Polyethylene,	Interior Visual	1 year	1 year
A	Fiberglass	Acoustic Emissions Interior Visual	2 years 2 years	
B	Carbon or Stainless Steel, uncoated or unlined	Ultrasonic Interior Visual	2 years 2 years	
B	Carbon or Stainless Steel, coated or lined	Corrosion Coupon Interior Visual	1 year 4 years	
B	Polyethylene,	Interior Visual	2 years	1 year
B	Fiberglass	Acoustic Emissions Interior Visual	2 years 2 years	
C	Carbon or Stainless Steel, uncoated or unlined	Ultrasonic Interior Visual	3 years 3 years	
C	Carbon or Stainless Steel, coated or lined	Corrosion Coupon Interior Visual	1 year 4 years	
C	Polyethylene,	Interior Visual	2 years	1 year
C	Fiberglass	Acoustic Emissions Interior Visual	2 years 2 years	

Key for Table III-1.

1. Rating "A" tanks provide lethal and highly toxic service posing the most severe risk in the event of a failure.
2. Rating "B" tanks pose a moderate to high risk from a tank failure.
3. Rating "C" poses a low to moderate hazard in the event of tank failure.



#### PART IV - FACILITY COMPLIANCE REQUIREMENTS

##### IV.A. TANK COMPLIANCE REQUIREMENTS

- IV.A.1. For all tanks which undergo modification, construction drawings detailing modifications shall be submitted 30 days prior to tank modification. Emergency modifications to correct unsafe conditions may be performed prior to the submission of construction drawings, but such drawings must be submitted within 30 days after the start of modification. The Permittee shall notify the Department, via telephone, within 24 hours of any emergency modifications.
- IV.A.2. The Permittee shall vent through activated carbon canisters or catalytic oxidation units all tanks storing material contaminated with organics which could emit toxic vapors during tank filling or because of tank breathing. The Permittee shall use the best demonstrated available technology consistent with primary safety concerns (e.g., risk of fire or explosion) to capture vapors, generated as the result of a fire, which cannot be captured by the carbon canisters or catalytic oxidation units.
- IV.A.3. The Permittee shall assure that the leak detection systems for tanks 2701, 2703, and 2705-2708 are capable of collecting and detecting any leaked material. Such assurance shall require that, at a minimum:
- a. The Permittee shall provide a means of detecting any liquid which may be present at the lowest point of the interspace area between the tank bottoms. Within eight (8) weeks of the permit effective date the Permittee shall submit to the Department a determination, certified by an independent registered professional engineer, of the location of the lowest point of the interspace area between the tank bottoms and plans for appropriate leak detection systems. The Department shall have eight (8) weeks from the date the determination and plans are received to accept or deny the submittal. Failure to respond within eight (8) weeks will constitute acceptance.
  - i. If the determination of Permit Condition IV.A.3.a. indicates the bottom of the interspace area between the tank bottoms is flat or convex (i.e., the middle is higher than the perimeter) detection at the lowest point shall require detection at no less than six points evenly distributed about the perimeter of the tank.

- ii. If the determination of Permit Condition IV.A.3.a.i. indicates the bottom of the interspace area between the tank bottoms is concave (i.e., the middle is lower than the perimeter) detection must be at the true lowest point.
- b. The Permittee shall inspect the leak detection system for evidence of accumulated liquids no less frequently than every 24 hours.
  - i. Inspections shall be in performed in accordance with an inspection plan approved in accordance with Permit Condition IV.A.3.c.
  - ii. Any liquid detected in the interspace area between the tank bottoms shall be promptly removed and appropriately treated or disposed.
  - iii. If any liquid detected in the interspace area between the tank bottoms is determined to be leaked material, the tank shall be immediately taken out of service, all contents shall be removed within 24 hours, and the tank shall not be returned to service until repaired and certified pursuant to Permit Conditions III.B.1. and IV.A.5.
- c. The Permittee shall submit to the Department within eight (8) weeks of the permit effective date a revised inspection plan which includes the methodology for inspecting the leak detection system for the presence of accumulated liquid. The Department will have eight (8) weeks from the date the proposed methodology is received to either accept or deny the proposal. Failure to respond within (8) weeks shall constitute acceptance. The inspection plan shall assure, at a minimum:
  - i. The inspection procedure will detect any liquid accumulated in the interspace area between the tank bottoms; and
  - ii. Procedures will promptly determine whether any accumulated liquid is condensation or leaked material;



- d. The Permittee shall perform periodic tightness tests on the interspace area between the tank bottoms.
  - i. The Permittee shall submit to the Department within eight (8) weeks of the Permit effective date proposed methodology for the tightness test. The Department will have eight (8) weeks from the date the proposed methodology is received to either accept or deny the proposal. Failure to respond within eight (8) weeks will constitute acceptance.
  - ii. Tightness tests in accordance with Permit Condition IV.A.3.d.i. shall be performed within four (4) weeks after method approval by the Department and no less than once every 6 months thereafter.
  - iii. The results of all tightness tests shall be reviewed and certified by an independent, registered professional engineer and maintained in the operating record until facility closure.
  - iv. Any tank for which the interspace area between the tank bottoms cannot be certified as tight shall be immediately taken out of service.

IV.A.4. The Permittee may store or treat dangerous waste in tanks 2701, 2703, and 2705-2708 for six (6) months following the permit effective date. After six (6) months from the permit effective date, the Permittee shall not store or treat dangerous waste in tanks 2701, 2703, or 2705-2708 unless all submittals required by Permit Condition IV.A.3. have been approved by the Department, a leak detection system has been installed pursuant to Permit Condition IV.A.3.a., and the initial tightness test pursuant to Permit Condition IV.A.3.D.ii. has been completed and certified. The Permittee may request an extension to the schedule of this condition pursuant to Permit Condition IV.E.

IV.A.5. The Permittee shall notify the Department within 24 hours of discovering any leakage from tanks 2701, 2703, or 2705-2708. If any of these tanks are found to be leaking and if the Permittee wishes to return the tank to service, the Permittee shall notify the Department prior to implementing any repairs as required by Permit Condition III.B.1. The Department may require additional design changes before the tank is returned to service.



IV.B. CONSTRUCTION SCHEDULE

IV.B.1. The following construction activities shall be completed within the time specified. Time periods shall begin on the effective date of this Permit.

Loading/unloading Pad (See Figure IV-1)

7 months \* Construct pad

Area A (See Figure IV-2)

5 months \* Upgrade secondary containment to meet Permit requirements, remove tanks 106 and 108

14 months \* Install tanks 2702 and 2704

Area B (See Figure IV-2)

5 months \* Upgrade secondary containment to meet Permit requirements

9 months \* Retrofit double bottoms on tanks 2701 and 2703

Area C (See Figure IV-2)

6 months \* Upgrade secondary containment to meet Permit requirements

24 months \* Install tank 2307

28 months \* Install tank 2308

32 months \* Install tank 2309

36 months \* Install tank 2310

Proposed Facility (See Figure IV-1)

36 months \* Construct secondary containment to meet Permit standards, install tanks

- IV.B.2. The Permittee shall maintain records of all facility construction operations. Such records shall be maintained at the facility until closure and corrective action are complete and certified, and shall include at a minimum:
- a. Daily construction reports;
  - b. Photographs of stages of construction work;
  - c. Summary or minutes of construction meetings;
  - d. Material test results;
  - e. As-built designs as certified by a registered professional engineer;
  - f. Construction changes as certified by a registered professional engineer; and
  - g. All quality control procedures undertaken by the Permittee.
- IV.B.3. Within 60 days after construction, or a phase of construction, of a new or modified area is complete, the Permittee shall submit to the Department a formal report signed by the Permittee and by an independent, registered professional engineer that certifies that the facility has been constructed in compliance with the Permit.
- i. The report shall incorporate, at a minimum, all of the elements defined in Permit Condition IV.B.2.
  - ii. The Permittee shall not store or treat dangerous waste in the new or modified area until the report has been submitted.
- IV.C. GENERAL FACILITY COMPLIANCE REQUIREMENTS
- IV.C.1. The Permittee shall not operate the facility in exceedence of approved Interim Status capacity prior to the completion of all items specified in Permit Condition IV.B.I.
- IV.C.2. The Applicant shall maintain within the Operating Record a map locating each management unit and locating each process, both ongoing and intermittent. The relocation of any processes shall be recorded within the operating record within 5 days of relocation.
- IV.C.3. The Permittee shall allow independent sampling and sample splitting when requested by the Department or the Agency. At the Permittee's request, the Department or the Agency will inform the Permittee of all analyses to be performed on split samples.

- IV.C.4. The Permittee shall submit samples for analysis by an independent, accredited laboratory upon request by the Department or the Agency. Such submittals shall be limited to three (3) events per year, and 20 samples per event.
- IV.C.5. Criteria for the clean up or the prevention of contamination of soil, ground water, surface water, sediments, or air within a spill area shall be at least as stringent as standards for clean closure as defined in Section II.D. of this Permit.
- IV.C.6. Any accumulated precipitation shall be removed from secondary containment systems in as timely a manner as necessary to prevent overflow of sumps; in all cases such removal shall occur at least once every working shift or a minimum of every twenty four hours.
- IV.C.7. The Permittee shall note in the facility operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident the Permittee shall submit a written report on the incident to the Department. Such a report shall at a minimum include all items specified in WAC 173-303-360(2)(k).
- IV.C.8. Facility inspections shall include, in addition to all items and procedures specified in Attachment EE, daily inspection of groundwater monitoring wells for pertinent items such as the loss of integrity of surface seals, frost heave, etc.
- IV.C.9. Should problems occur regarding design, construction, or maintenance which result in fire explosion, unplanned sudden or nonsudden release, or the threat of the same, within three (3) months of discovery of the problem the Permittee shall submit to the Department a written plan to rectify the situation.
- IV.D. LAND DISPOSAL RESTRICTIONS
- IV.D.1. The Permittee shall not in any way dilute a restricted waste or the residual from treatment of a restricted waste as a substitute for adequate treatment to achieve compliance with 40 CFR Part 268, Subpart D.



IV.E. SCHEDULE EXTENSIONS

The Permittee shall notify the Department, in writing, as soon as possible of any deviations or expected deviations from any schedules of Parts I through V or Attachments AA through JJ of this Permit. The Permittee shall include with the notification all information supporting its claim that it has used best efforts to meet the required schedules. If the Director determines that the Permittee has made best efforts to meet the schedules of this Permit, the Director shall notify the Permittee in writing by certified mail that the Permittee has been granted an extension. Such a revision shall not require a permit modification under WAC 173-303-830. Copies of all letters pursuant to this Permit Condition shall be kept in the Operating Record.

IV.F. TRAFFIC MANAGEMENT

IV.F.1 Whenever a vehicle used for the transport of dangerous waste to or from the facility enters the facility an employee shall always be in such a position that he or she can both observe the approach of the truck towards the loading/unloading area and signal to the driver to turn or stop.

IV.F.2. Vehicles used for the transport of dangerous waste to or from the facility shall be parked only in the designated loading/unloading area.

Figure IV-1

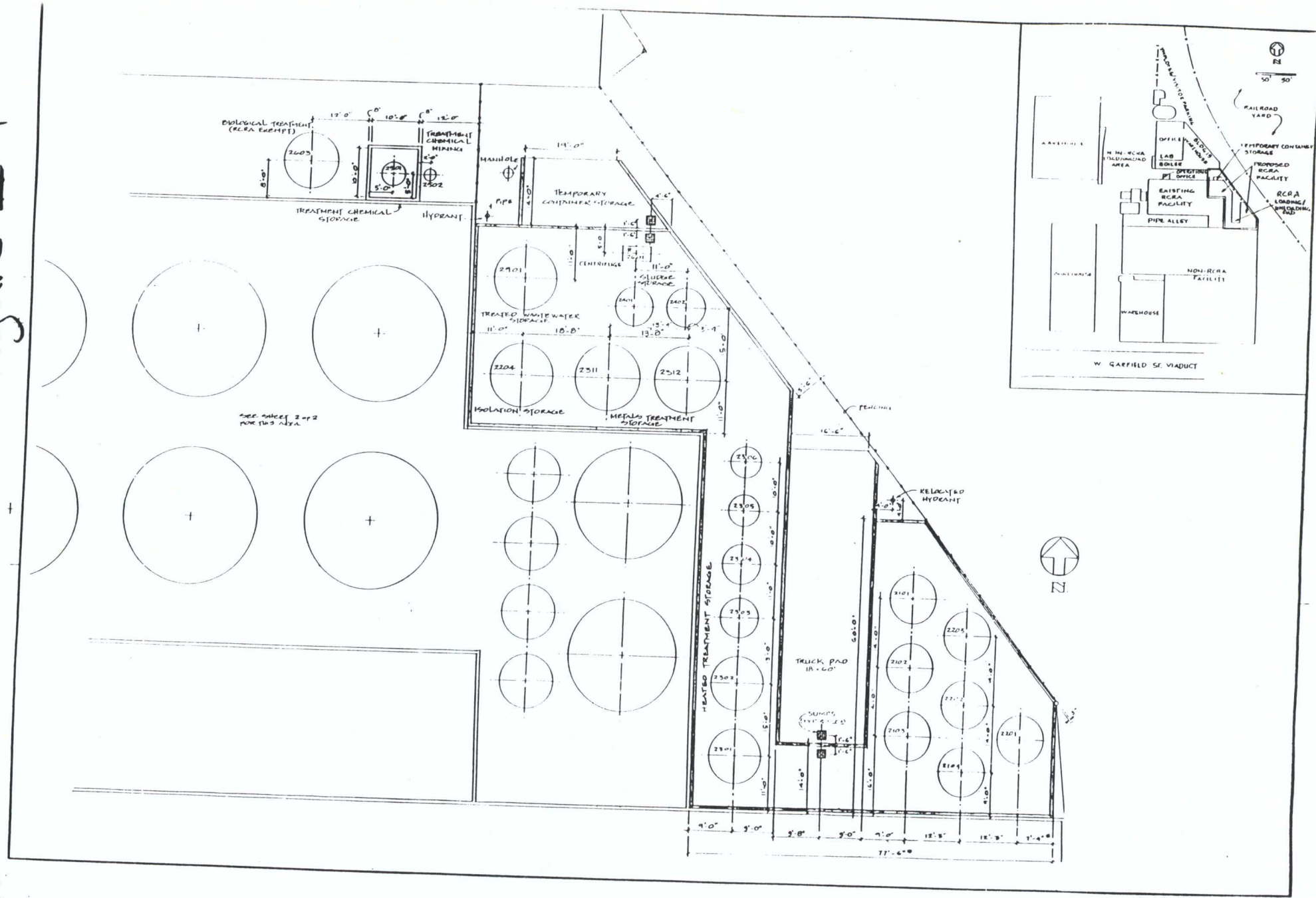
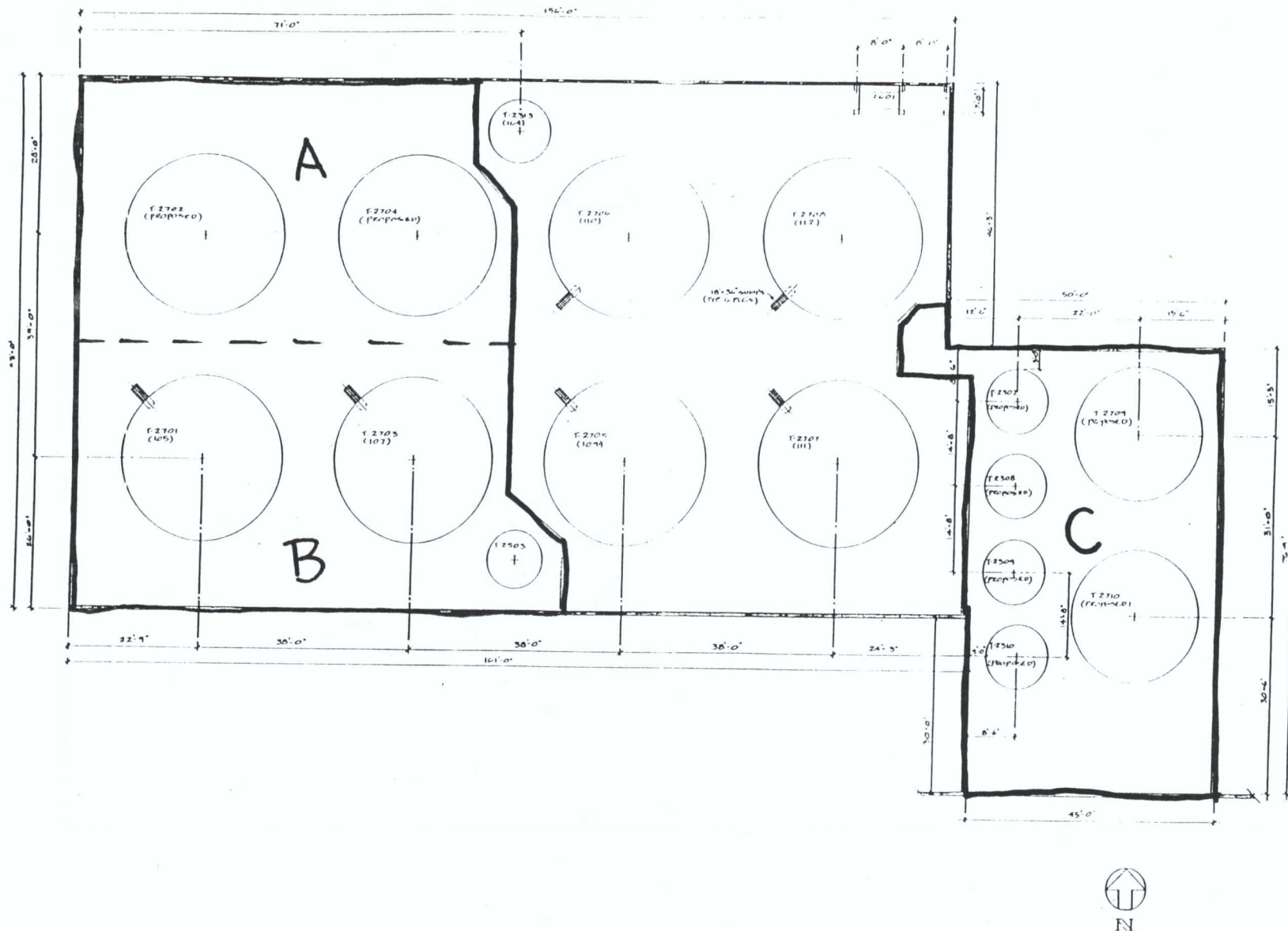


Figure IV-2





PART V - PERMIT BY RULE

V.A. WASTEWATER TREATMENT UNIT

The Permittee may store, treat and discharge dangerous wastewater in and from a wastewater treatment unit(s) as defined in WAC 173-303-040(104).

V.B. GENERAL CONDITIONS

V.B.1. The Permittee shall design, operate, and maintain the wastewater treatment unit in accordance with the provisions of WAC 173-303-802(5)(a)(i),(ii), and (iii).

V.B.2. The Permittee shall comply with the terms of the Municipality of Metropolitan Seattle (METRO) Industrial Wastewater Discharge Permit Permit Number 7099-R09/84-2, for the discharge from the wastewater treatment unit(s) unless authorized by METRO due to special circumstances or emergencies.

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Expiration Date:

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## PART VI - CORRECTIVE ACTION